

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:22-cr-00651-RWS-SPM
)
SHAQUILLE R. PAYNE,)
)
Defendant.)

MOTION FOR PRETRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its Attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and C. Ryan Finlen, Assistant United States Attorney for said District, and moves the Court to order Defendant detained pending trial pursuant to Title 18, United States Code, §3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Defendant is charged with possessing fentanyl with intent to distribute it, in violation of Title 21, United States Code, Section 841(a)(1), as well as possessing multiple firearms in furtherance of that drug-trafficking crime, in violation of Title 18, United States Code, Section 924(c). Upon conviction, Defendant faces a mandatory term of imprisonment of no less than five years, consecutive to any sentence imposed on the drug-trafficking charge.

2. The current charges are not Defendant's first exposure to drug-trafficking charges. In 2013, in City of St. Louis case number 1322CR02188-01, Defendant was charged with delivery/possession of a controlled substance in a corrections facility or county jail. Although that charge resulted in a suspended imposition of sentence and two years of probation, Defendant's criminal history includes multiple charges for parole and probation violations.

3. According to St. Louis Metropolitan Police Department report 22-24407, detectives in St. Louis conducted two controlled purchases of fentanyl from Defendant in May 2022. Using that and other information, detectives searched Defendant's apartment on June 8, 2022. Not only did detectives encounter Defendant at the residence, but two minors were also present. As a result of that June search, law enforcement recovered more than 19 grams of fentanyl with packaging materials such as cutting agents, capsules, and a pill press.

4. To protect his drug distribution business, law enforcement also seized a small arsenal from Defendant's apartment, including two stolen firearms. The four recovered firearms included, a stolen Taurus Armas make, G3 model 9mm semi-automatic pistol; a stolen Smith & Wesson make M&P 40 Shield model, .40 caliber pistol; and a Brigade Mfg. Inc. make, BM-F-9 model, 9mm semi-automatic pistol; and a Chongqing Jianshe Industry make, M12AK model (AK-style), 12-gauge caliber shotgun. Any doubt as to whether these firearms belonged to Defendant evaporated when Defendant asked the detectives, "Ah man you are taking my guns?"

5. The danger Defendant posed to the community did not end after the June seizure. The SWAT team's search of Defendant's apartment and the seizure of Defendant's firearms did not prompt Defendant to abstain from the firearms. When agents with the ATF entered Defendant's same residence on the morning of November 18, 2022, with an arrest warrant, Defendant was present with another adult male – a convicted felon – as well as three minors.

6. During the protective sweep of the apartment, ATF agents discovered that Defendant has since replaced the arsenal seized on June 8. Less than six months after the seizure of the firearms listed above, ATF agents discovered that Defendant acquired an American Tactical, AR-15 variant pistol with an attached MFT magazine containing 29 rounds of live ammunition; a Smith & Wesson, revolver; a Girsan, 9mm semi-automatic pistol; a 30-round capacity magazine

for a .45 caliber firearm; a 40-round capacity magazine for a 9mm firearm; a 15-round capacity magazine for a Glock, 9mm semi-automatic firearm; and two bags containing a total of approximately 45 rounds of 7.62 caliber ammunition.

WHEREFORE, the United States requests this Court to order Defendant detained prior to trial.

Respectfully submitted,

SAYLER A. FLEMING
United States Attorney

/s/ C. Ryan Finlen
C. RYAN FINLEN, #6035918(IL)
Assistant United States Attorney
111 South 10th Street, Room 20.333
St. Louis, Missouri 63102
(314) 539-2200

CERTIFICATE OF SERVICE

I hereby certify that, on November 18, 2022, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all counsel of record.

/s/ C. Ryan Finlen
C. RYAN FINLEN, #6035918(IL)
Assistant United States Attorney